

SEALED,TERMED

U.S. District Court
District of Idaho (LIVE) NextGen 1.6 (Boise - Southern)
CRIMINAL DOCKET FOR CASE #: 1:21-mj-00532-REB-1 *SEALED*
Internal Use Only

Case title: USA v. SEALED

[Plea Filings](#)Other court case number: 3:21-cr-139-HZ District of Oregon
(Portland)

Date Filed: 05/13/2021

[Sentencing Filings](#)

Date Terminated: 05/17/2021

Assigned to: Judge Ronald E. Bush

Defendant (1)**Julian Ray Nevarez***TERMINATED: 05/17/2021*represented by **Angela Chang**

Federal Defender Services of Idaho

702 West Idaho Street, Ste. 1000

Boise, ID 83646

(208) 331-5500

Email: Angela_Chang@fd.org*LEAD ATTORNEY**ATTORNEY TO BE NOTICED**Designation: Public Defender or**Community Defender Appointment***Idaho Federal Defender**

Federal Defender Services of Idaho Inc

702 West Idaho Street, Suite 1000

Boise, ID 83702

(208) 331-5500

Email: joy_fish@fd.org*LEAD ATTORNEY**ATTORNEY TO BE NOTICED**Designation: Public Defender or**Community Defender Appointment***Pending Counts**

None

Disposition**Highest Offense Level (Opening)**

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints



None



Disposition**Plaintiff**

USA

represented by **David Gregory Robins**

United States Attorney's office
 1290 West Myrtle Street, Suite 500
 Boise, ID 83702
 208-334-1211
 Email: david.robins@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Docket Text
05/13/2021	 1	Rule 5(c)(3) Documents Received from the District of Oregon Case No. 3:21-cr-139-HZ as to Julian Ray Nevarez (Notice sent to USP & USM) (Attachments: # 1 Arrest Warrant)(jd) (Entered: 05/14/2021)
05/14/2021	2	DOCKET TEXT NOTICE OF *VIDEO HEARING as to Julian Ray Nevarez (Notice sent to USP & USM) Video Initial Appearance - Rule 5(c)(3) set for 5/17/2021 03:00 PM in Video - Boise to Other location (Mountain Time) before Judge Ronald E. Bush. *Instructions: Counsel to receive video link via separate notification. Members of the public may use the following to attend this matter via Audio ONLY: 1-669-254-5252, Meeting ID: 161 449 0592, Meeting Password: 931144. Persons granted remote access to proceedings are reminded of the general prohibition under federal law and Local Rule 83.1 against photographing, recording, and rebroadcasting of court proceedings.(jh) Modified on 5/14/2021 to modify zoom information (st).
05/14/2021	 3	Criminal Cover Sheet re 1 Rule 5(c)(3) Documents Received (Attachments: # 1 Service Information Sheet)(jd)
05/14/2021	4	DOCKET TEXT NOTICE RESETTING HEARING (LOCATION CHANGE FROM VIDEO TO IN PERSON) as to Julian Ray Nevarez.(Notice sent to USP & USM) Initial Appearance - Rule 5(c)(3) set for 5/17/2021 03:00 PM in Boise - Courtroom 7 before Judge Ronald E. Bush. (st)
05/17/2021	5	Minute Entry for proceedings held before Judge Ronald E. Bush:Initial Appearance in Rule 5(c)(3) Proceedings as to Julian Ray Nevarez held on 5/17/2021. (Notice sent to USP & USM) (ESR: Sunny Trumbull.) Audio File Location Boise - Courtroom 7. (st)

05/17/2021	6	DOCKET TEXT DUE PROCESS PROTECTIONS ACT ORDER as to Julian Ray Nevarez : The Government shall adhere to all provisions of General Order #392.. Signed by Judge Ronald E. Bush.(caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (st)
05/17/2021	7	DOCKET ENTRY ORDER APPOINTING FEDERAL DEFENDER as to Julian Ray Nevarez. On the basis of the sworn financial affidavit, the Court finds Defendant is financially unable to retain counsel. It is hereby ORDERED that the Federal Defender Services of Idaho is hereby appointed to represent Defendant in these proceedings pursuant to Title 18 United States Code 3006A. IT IS FURTHER ORDERED that the Federal Defender shall immediately notify the Clerk's Office of any conflict of interest or inability to continue this appointment. Signed by Judge Ronald E. Bush.(caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (st)
05/17/2021	8	WAIVER of Rule 5(c)(3) Hearing by Julian Ray Nevarez (Notice sent to USP & USM) (st)
05/17/2021	 9	CJA 23 Financial Affidavit by Julian Ray Nevarez (st)
05/17/2021	10	ORDER Setting Conditions of Release (Notice sent to USP & USM). Signed by Judge Ronald E. Bush.(caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (st)
05/17/2021	11	Notice to District of Oregon (Portland) of a Rule 5 or Rule 32 Initial Appearance as to Julian Ray Nevarez. Your case number is: 3:21-cr-139-HZ. Using your PACER account, you may retrieve the docket sheet and any unrestricted documents and text-only entries via the case number link. The clerk will transmit restricted documents via email. (If you require certified copies of any documents, please send a request to InterdistrictTransfer_IDD@id.uscourts.gov. If you wish to designate a different email address for future transfers, send your request to InterDistrictTransfer_TXND@txnd.uscourts.gov.) (jd)
05/17/2021		(Court only) ***Terminated defendant Julian Ray Nevarez, pending deadlines, and motions. (jd)

**UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO
U.S. MAGISTRATE JUDGE MINUTE ENTRY**

(X) Initial Appearance on a Rule 5 from District of Oregon (Portland)

MAGISTRATE JUDGE: Ronald E. Bush
DEPUTY CLERK/ESR: Sunny Trumbull
LOCATION: Boise, ID

DATE: May 17, 2021
TIME: 3:15 – 3:35 p.m.

UNITED STATES OF AMERICA vs. JULIAN RAY NEVAREZ
Idaho case # 1:21-MJ-532-REB
Oregon case# 3:21-CR-139-HZ

Counsel for: United States (AUSA): David Robins
Defendant: Angela Chang, Federal Defender
USPO: Emma Wilkins

(X) Defendant placed under oath.
(X) Defendant appeared in custody on Warrant/Indictment.
(X) Copy of charging document provided to defendant. Defendant waived reading.
(X) Court provided initial appearance advising of all Constitutional rights to Counsel the charging document/Rule 5 proceedings/detention proceedings.
(X) Financial Affidavit - Court reviewed and appointed Federal Defender.
(X) Not guilty plea entered.
(X) Waiver of Rule 5 Hearing entered.

Court reviewed the Due Process Protections Act.

The defendant shall appear on May 25, 2021 at 1:30 p.m. (Pacific Time) before Judge Youlee Yim Jou.

The parties agreed to release conditions. Order Setting Conditions of Release entered.

Defendant released on the terms and conditions in the Order Setting Conditions of Release.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA)	Case No.: MJ21-532-S-REB
)	
Plaintiff,)	Charging District's Case No.:
)	
vs.)	WAIVER OF RULE 5 & 5.1
)	HEARINGS
Julian Nevarez)	(Complaint or Indictment)
)	
Defendant.)	
_____)	

I understand that I have been charged in another district, the (name of the district/court)

District of Oregon, Portland Division

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise -- unless I am indicted -- to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the Government for detention;

- (6) request transfer of the proceedings to this district under Fed.R.Crim.P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☒ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☐ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 5/17/21

Julian Nevarez

Defendant

Date: 5/17/2021

Attorney's Signature

Printed Name of Attorney

CJA-23
(Rev 3/21)**FINANCIAL AFFIDAVIT**

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT, OR OTHER SERVICES WITHOUT PAYMENT OF FEE

IN THE UNITED STATES ☒ DISTRICT COURT ☐ COURT OF APPEALS☐ OTHER (Specify Below)

IN THE CASE OF

FOR

LOCATION
NUMBER

AT

United States v. Julian Nevarez

PERSON REPRESENTED (Show your full name)

Julian Nevarez

CHARGE/OFFENSE (Describe if applicable & check box→)

☒ Felony☐ Misdemeanor

- 1 ☒ Defendant - Adult
 2 ☐ Defendant - Juvenile
 3 ☐ Appellant
 4 ☐ Probation Violator
 5 ☐ Supervised Release Violator
 6 ☐ Habeas Petitioner
 7 ☐ 2255 Petitioner
 8 ☐ Material Witness
 9 ☐ Other (Specify) _____

DOCKET NUMBERS

Magistrate Judge

District Court

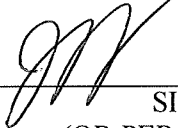
MJ21-532-S-REB

Court of Appeals

ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

INCOME & ASSETS	EMPLOYMENT	Do you have a job? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No IF YES , how much do you earn per month? <u>750</u> Will you still have a job after this arrest? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown																			
	PROPERTY	Do you own any of the following, and if so, what is it worth? <table border="1"> <thead> <tr> <th></th> <th>APPROXIMATE VALUE</th> <th>DESCRIPTION & AMOUNT OWED</th> </tr> </thead> <tbody> <tr> <td>Home</td> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>Car/Truck/Vehicle</td> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>Boat</td> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>Stocks/bonds</td> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>Other property</td> <td>\$ _____</td> <td>_____</td> </tr> </tbody> </table>			APPROXIMATE VALUE	DESCRIPTION & AMOUNT OWED	Home	\$ _____	_____	Car/Truck/Vehicle	\$ _____	_____	Boat	\$ _____	_____	Stocks/bonds	\$ _____	_____	Other property	\$ _____	_____
		APPROXIMATE VALUE	DESCRIPTION & AMOUNT OWED																		
Home	\$ _____	_____																			
Car/Truck/Vehicle	\$ _____	_____																			
Boat	\$ _____	_____																			
Stocks/bonds	\$ _____	_____																			
Other property	\$ _____	_____																			
CASH & BANK ACCOUNTS	Do you have any cash, or money in savings or checking accounts? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No IF YES , give the total approximate amount after monthly expenses \$ <u>500</u> <u>\$2,100</u>																				
OBLIGATIONS, EXPENSES, & DEBTS	How many people do you financially support? _____																				
	BILLS & DEBTS	MONTHLY EXPENSE	TOTAL DEBT																		
	Housing	\$ _____	\$ _____																		
	Groceries	\$ <u>100</u>	\$ _____																		
	Medical expenses	\$ _____	\$ _____																		
	Utilities	\$ <u>60</u>	\$ _____																		
	Credit cards	\$ <u>100</u>	\$ _____																		
	Car/Truck/Vehicle	\$ _____	\$ _____																		
	Childcare	\$ _____	\$ _____																		
	Child support	\$ _____	\$ _____																		
	Insurance	\$ _____	\$ _____																		
	Loans	\$ _____	\$ _____																		
Fines	\$ _____	\$ <u>700</u>																			
Other	\$ _____	\$ _____																			

I certify under penalty of perjury that the foregoing is true and correct.

SIGNATURE OF DEFENDANT
(OR PERSON SEEKING REPRESENTATION)5/17/21
Date

AO 199A (as modified by the District of Idaho - Rev. 11/20) Order Setting Conditions of Release

UNITED STATES DISTRICT COURT

for the

District of Idaho

United States of America

v.

Julian Nevarez

Defendant

)

)

)

)

)

Case No. 0976 1:21-00532M-001

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 34 U.S.C. § 40702.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed by U.S. Probation to serve a sentence that the court may impose.

The defendant must appear at:

In the District of Oregon

Place

Before the Honorable Magistrate Judge Youlee Yim Jou

on

May 25, 2021, at 1:30 p.m.

Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

AO 199B (as modified by the District of Idaho - Rev. 11/20) Additional Conditions of Release

DEFENDANT: Julian Nevarez

ADDITIONAL CONDITIONS OF RELEASE

6. The defendant must submit to supervision by and report for supervision to Pretrial Services as directed.
7. The defendant must maintain, or continue to actively seek, employment.
8. The defendant must surrender any passport to Pretrial Services.
9. The defendant must abide by the following restrictions on personal association, residence or travel. The defendant's travel shall be restricted to: The District of Idaho and the District of Oregon for court purposes, and as approved by pretrial services.
10. The defendant must avoid all contact, directly or indirectly, with any person who is known to be a victim or witness in the investigation or prosecution.
11. The defendant must get mental health treatment as directed by the pretrial officer. The defendant must pay all or part of the cost for the assessment and treatment based upon their ability to pay as determined by the pretrial services officer.
12. The defendant must not possess a firearm, destructive device, or other weapon.
13. The defendant must not use alcohol at all.
14. The defendant may not frequent establishments where alcohol is the primary item of sale.
15. The defendant must not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 § 802, unless prescribed by a licensed medical practitioner. The defendant must not use or unlawfully possess drug paraphernalia.
16. The defendant must submit to testing for a prohibited substance if required by the Pretrial Services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing. The defendant must pay all or part of the cost of testing based upon ability to pay as determined by the Pretrial Services office or supervising officer.
17. The defendant must participate in a substance abuse assessment and participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the Pretrial Services office or the supervising officer. The defendant must pay all or part of the cost of the assessment and treatment based upon their ability to pay as determined by the pretrial services officer.
18. The defendant must report as soon as possible to the Pretrial Services officer or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
19. The defendant must maintain current residence and shall not move or change residences without prior approval of the Pretrial Services officer.
20. The defendant shall have no contact with any persons known to be engaged in criminal activity, or who are using or possessing any controlled substances.
21. The Defendant is directed to contact the United States Marshals Service within seventy-two hours of today's hearing for processing and to comply with all requirements of the United States Marshals Service.
22. The defendant must adhere to and comply with all federal, state, and local laws, orders, rules, and the like regarding social distancing and self-isolation and protocols regarding COVID-19 including, but not limited to, Idaho's Reopening Plan and the orders of the court.

AO 199C (as modified by the District of Idaho - Rev. 11/20) Advice of Penalties

DEFENDANT: Julian Nevarez

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

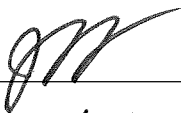
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.


 Defendant's Signature
 Weiser, ID
 City and State

Directions to the United States Marshal

- (☒) The defendant is ORDERED released after processing.
- (☐) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date:

5/17/2021


 Judicial Officer's Signature

Ronald E. Bush, Chief United States Magistrate Judge

Printed name and title